

01  
02  
03  
04 UNITED STATES DISTRICT COURT  
05 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

06 LARRY J. NICHOLSON, II, ) CASE NO. C08-0798-MJP-MAT  
07 Plaintiff, )  
08 v. ) ORDER GRANTING PLAINTIFF'S  
09 V. FERNANDEZ, ) MOTION FOR EXTENSION OF TIME  
10 Defendant. )  
11 \_\_\_\_\_ )

12 Petitioner has filed a motion seeking an extension of time to file a response to defendant's  
13 motion for summary judgment. Having reviewed the motion and the balance of the record, the  
14 Court does hereby ORDER as follows:

15 (1) In light of plaintiff's status as an incarcerated *pro se* litigant, his motion for an  
16 extension of time (Dkt. No. 27) is GRANTED. Plaintiff shall file a response to defendant's  
17 motion for summary judgment no later than **January 16, 2009**. No further extensions will be  
18 granted absent extraordinary circumstances.

19 (2) Defendant may file a reply to plaintiff's response, if necessary, no later than  
20 **January 23, 2009**. The Clerk shall RENOTE defendant's motion for summary judgment for  
21 consideration by the Court on **January 23, 2009**.

22 (3) The Clerk is directed to send a copy of this Order to plaintiff, to counsel for

01 defendant, and to the Honorable Marsha J. Pechman.

02 DATED this 5th day of January, 2009.

03 

04 Mary Alice Theiler  
05 United States Magistrate Judge  
06  
07  
08  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22